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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 MARY JENNINGS HEGAR, JENNIFER
19 HUNT, ALEXANDRA ZOE BEDELL,
20 COLLEEN FARRELL, AND SERVICE
21 WOMEN'S ACTION NETWORK,

22 Plaintiffs,

vs.

23 CHUCK HAGEL, Secretary of Defense,

24 Defendant.

25 Case No. 12-CV-06005 EMC

26 **REVISED STIPULATION AND
27 [PROPOSED] ORDER SETTING
28 BRIEFING SCHEDULE AND HEARING
DATES AND CONTINUING INITIAL
CASE STATUS CONFERENCE**

Judge: Hon. Edward M. Chen

REVISED STIPULATION

Plaintiffs Mary Jennings Hegar, Jennifer Hunt, Alexandra Zoe Bedell, Colleen Farrell, and Service Women's Action Network and Defendant Chuck Hagel, Secretary of Defense ("Secretary") (collectively, "the parties"), by and through their respective counsel, submit this stipulation and proposed order continuing the current briefing schedule and hearing on the Secretary's pending motion to dismiss the Amended Complaint to allow the parties time to discuss a potential resolution to the motion.

1. On October 31, 2013, Plaintiffs filed an Amended Complaint (Dkt No. 18).

2. On December 3, 2013, Plaintiffs served discovery on Defendant in the form of requests for production of documents with a response deadline January 6, 2014.

3. On December 19, 2013, Defendant filed a motion to dismiss the Amended Complaint for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1) (Dkt. No. 19).

4. On January 21, 2014, Defendant filed a motion for protective order seeking to stay all discovery in the case (Dkt. No. 23).

5. On January 23, 2014, pursuant to a stipulation of the parties, the Court signed an order setting a schedule to allow for resolution of Defendant's motion for protective order before the deadline for Plaintiffs to file their opposition to Defendant's motion to dismiss and setting a deadline for Plaintiffs' opposition based on the outcome of the motion for protective order. If it were denied, the deadline would be April 14, 2014. If it were granted, the deadline would be August 14, 2014.

6. On February 27, 2014, the Court held a hearing on Defendant's motion for protective order and issued a minute order stating that the Court would defer its ruling on the motion pending completion of briefing on Defendant's motion to dismiss and "then consider the relevance and probative value of the requested documents." (Dkt. No. 29). Although the schedule set by the January 23, 2014 order did not contemplate a deferred ruling, Plaintiffs proceeded on the assumption that the opposition to Defendant's motion to dismiss would be due on April 14, 2014.

1 7. On April 7, 2014, the parties held a telephone conference and agreed, subject to the
 2 Court's approval, to a short continuance of the briefing schedule and hearing date on Defendant's
 3 motion to dismiss to allow the parties time to discuss a potential resolution of the pending
 4 motions.

5 8. In light of the foregoing, the parties request that the court supplement and continue
 6 the scheduling dates established by the January 23, 2014 order as follows:

7 Last day to file opposition to motion to dismiss	5/5/14
8 Last day to file reply in support of motion to dismiss	5/19/14
9 Hearing on the motion to dismiss is re-noticed for	6/26/14
10 Last day to: meet and confer re initial disclosures, early settlement, ADR process election, and discovery plan; file ADR Certification signed by parties and counsel; file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference:	7/22/14
11 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report, and file Case Management Statement per the Court's Standing Order re Contents of Joint Case Management Statement:	8/21/14
12 Initial Case Management Conference:	9/4/14

13 **IT IS SO STIPULATED.**

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1 DATED: April 8, 2014

MUNGER, TOLLES & OLSON LLP

2 By: /s/ Rosemarie T. Ring
3 ROSEMARIE T. RING

4 Attorneys for Plaintiffs

5 MARY JENNINGS HEGAR, JENNIFER
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8 DATED: April 8, 2014

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1 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2 I, Rosemarie T. Ring, am the ECF User whose identification and password are being used
3 to file this REVISED STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING
4 SCHEDULE AND HEARING DATES AND CONTINUING INITIAL CASE STATUS
5 CONFERENCE. In compliance with General Order 45.X.B, I hereby attest that all signatories
6 have concurred in this filing.

7 **[PROPOSED] ORDER**

8 Pursuant to stipulation, it is SO ORDERED.

9 Dated: 4/10/14

